Consumer Protection Act is the outcome of lucrative or Cheated Window Dressing.

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Abstract

Management is a wing of Commerce education. From this wing we can learn time management, hospitality management, situation management, quality management etc. This type of management teaches us to cope up with the time and situation by applying our mind. Advertisement and Window dressing is such two extensive useful term of management by implementing these terms the big business house starts to flourish more and more. After industrial revolution and globalization gradually the competition rises bigger and bigger among the different business houses. As a result people were getting the good product and services in lesser price. But few dishonest traders for earning more and more profit by taking the advantage of lucrative window dressing started to cheat the consumer. Although the consumer are the king of the market and the economy still businessmen started depriving the consumer by means of providing faulty service, providing inferior quality of goods etc. To secure the interests of the consumer from the grip of those greedy, unfair traders the Consumer Protection Act 1986 came in to force for better protection of the consumer. This Act is such a progressive, bold, prudent social legislation which directly deals with the interest of the consumer and also protects the rights and interest of the consumer as a whole.

Keywords: Consumer, Management, Window Dressing, Consumer Protection Act.

Introduction

Industrial revolution took place in the year 1760-1820 to 1840. As a result of industrial revolution and for globalization there are so many factories, industries and manufacturing units started to taken birth and flourishes day by day to meet the expectation of the people. As a result for a single product there is so many alternatives came in the market. Now people have the choice from the alternative products. They tried to compare all the products and select the best one. To win to exist to make a more and more profit here a competition starts among the businessmen, industrialists but to the some extent this sort of competition was good for the human being and they were able to get qualitative goods and services in lesser price. After passing with the time an ill-competition started among the businessmen. They are trying to sell their inferior product and services in a lucrative-window dressed way.

After globalization we live in market economy. Where consumers are the pivot factor of all the progress and the king of the market and economy and they are the deciding factor/ they will decide that which product will exist in market and which would be abolished in the near future. But we are seeing that the consumers are deprived in different way by the unscrupulous businessmen. To secure the interest of the consumer from the grip of those greedy, unfair traders the Consumer Protection Act 1986 came in to force for better protection of the interests of the consumer. This Act is such a progressive, bold, prudent social legislation which directly deals with the interest of the consumer and also protects the rights and interest of the consumer as a whole.

The consumer dispute and in other words consumer problems have been with us since dawn of the history. The concept of consumerism is the discovery of the last century. To promote and protect the rights of the consumer is called as consumerism. The consumer movement was first began in U.S.A. in 1900's when the 'The Food and Drugs Act, 1906 was introduced and, thereafter, 'The Meat Inspection Act, 1906' for the protection of the consumer (Dr. Atul Kumar Dhyani, 1990, Garhwal University). But before that this movement was firstly started in France, Germany thereafter in U.K. followed by USA and Sweden. [Source: Kaufman et.al, (1973)]. Even in the recent days the concept of consumerism is only in advance stages in the developed countries whereas it is still not so developed in the developing countries like India. The consumerism in India is also relatively a new occurrence. In India, there are over a dozen of Act's and Provisions, a number of Government Departments have also been formed to protect consumer interest in the modern society by the Government.

**Objective**

As we know law is for the mankind not mankind is for the law. In this proposed paper an attempt was made to prove that Consumer Protection Act 1986 is a blessing for mankind but this is the result or outcome of the lucrative window dressing or unfair trade practice where intention of the traders was cheating which is a curse for mankind.

**Methodology**

In the proposed study an attempt was made to discover facts and insights wherefrom the necessity or a cry began for the enactment of this Act and after that how the Consumer Redressal Mechanism acting for the welfare of the mankind. Therefore, the study resembles with the nature of exploratory research design. Through the exploratory research a researcher is able to examine the efficiency of the concerned research area. To prove this study 8 years of data of the District Forum West Tripura was taken into consideration and where from we get that irrespective of men and women all the person made a complain to the forum for the cheating and other relevant activity of the unfair traders.

**Way Of Cheating By The Traders**

A question may arise How the businessmen depriving the consumer?

The answer is-

- **a)** The businessmen are not providing the after sell service of any product or other words we may say deficiency of service.
- **b)** The businessmen are providing inferior quality of goods to the consumer or selling defective products.
- **c)** The businessmen are providing faulty service or lack of qualitative service.
- **d)** The businessmen are not at all perfect in providing the proper service.
- **e)** If the businessmen are negligent or delay in providing different service which was written in warranty card.
- **f)** 6. Lack of dedication of the authorities
- **g)** 7. Geographical backwardness of the state.
- **h)** 8. Fraudulent activity by the goods seller and the service provider

**Why the Grievances?**

At the time of using or consuming the goods or services a consumer may fill mismatch in between the considera-
Data of the District Forum West Tripura, Agartala

Table No. 1: Detail breakup of the nature of the complainant from 2005 to 2012

<table>
<thead>
<tr>
<th>Year</th>
<th>No. of Case Instituted</th>
<th>Case instituted by Male</th>
<th>Case instituted by Female</th>
<th>Case instituted By the Consumer Protection Organisation</th>
<th>Case instituted by other Organisation</th>
<th>Case instituted by the Government Department</th>
</tr>
</thead>
<tbody>
<tr>
<td>2005</td>
<td>110</td>
<td>75</td>
<td>32</td>
<td>02</td>
<td>01</td>
<td>Nil</td>
</tr>
<tr>
<td>2006</td>
<td>92</td>
<td>66</td>
<td>22</td>
<td>01</td>
<td>03</td>
<td>Nil</td>
</tr>
<tr>
<td>2007</td>
<td>87</td>
<td>60</td>
<td>25</td>
<td>Nil</td>
<td>Nil</td>
<td>Nil</td>
</tr>
<tr>
<td>2008</td>
<td>75*</td>
<td>56</td>
<td>18</td>
<td>Nil</td>
<td>Nil</td>
<td>Nil</td>
</tr>
<tr>
<td>2009</td>
<td>61</td>
<td>46</td>
<td>11</td>
<td>01</td>
<td>02</td>
<td>01</td>
</tr>
<tr>
<td>2010</td>
<td>87</td>
<td>64</td>
<td>21</td>
<td>Nil</td>
<td>01</td>
<td>01</td>
</tr>
<tr>
<td>2011</td>
<td>83</td>
<td>58</td>
<td>20</td>
<td>01</td>
<td>02</td>
<td>Nil</td>
</tr>
<tr>
<td>2012</td>
<td>96</td>
<td>75</td>
<td>20</td>
<td>Nil</td>
<td>Nil</td>
<td>01</td>
</tr>
<tr>
<td>Total</td>
<td>691</td>
<td>500</td>
<td>169</td>
<td>05</td>
<td>11</td>
<td>03</td>
</tr>
</tbody>
</table>

Note: * In 2008, the actual numbers of cases registered were 74 but due to clerical/arithmetical error of the Forum the actual number was shown as 75.

Observation: -

Though the concept of Consumer Protection is an innovation in our country in the year 1986 only whereas the said concept was developed in Europe in 19th Century. But in spite of the enactment of the CPA 1986 and a separate body which only deals to protect the interest of the consumer we are seeing that the rights and interest of the consumer are not still well-protected. So by mere making law can’t go alone without its strict enforcement. The enforcement demands the accountability. The CPA is a social legislation like as Motor Vehicles Act 1988 as such the technicalities and the strict legal proceedings are generally ignored or avoided by the Forum and the Commission resulting which the few percentage of consumer in the present scenario are almost aware with their right. The government is taking so much of care for awareness of the consumer and the slogan “Jago Grahak Jago” now entered in many houses by the technological development. But that awareness also in many occasions can’t come into reality for lack of proper consumer education and also for the people living below poverty level (BPL) as in institution of the compliant in the different forum requisite fees in the form of demand draft are required to be annexed with the complainant. For this reason sometimes the bonafide consumers are not approaching before the Redressal Forum due to their poverty.

Conclusion: - In the present study an endeavor was made to search or seek the reason why and what for the Consumer Protection Act 1986 (CPA) was made. The necessity of the enactment of this Act was to protect the people from the grip of the fraudulent traders arising out of lucrative or cheated window dressing and to the some extent our Govt. (Central, State) was got success to protect the right and interest of the consumer. We also should across a long road to get more and more success. As we know the fraudulent activity, cheating etc. are curse for a society but CPA is the outcome or blessing of this curse. So again we can say that whose end is good all is good.

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